Dear Paul, 4/

While the court has yet to phone Jim, the norm, and the copy of the spectro decision was either not mailed or in seven days hasn t reached him, he went to courthouse today and obtained a copy. It is definitive. It does extend the parameters. It is a major FOIA decision. We have decided to continue our course of public silence. There are very good reasons for it: it is best right now.

We have not only turned all the bad guys around, we have established new rights under FOIA and special rights for historically-significant cases! If this is not enough we have a virtual command to exercise discovery in every possible way and as expeditiously as possible! This is the first decision, also, of which I know in which a court has ruled that where it is possible there must be first-person evidence. We are ordered to go get it! We gave them three instances, they refer to all three in this context. And if this does not perfect the historical record the judge is told to hold a full hearing, in open court.

It is a major decision. Our intellectual judo, as I call it, has worked better than I'd expected until the ~~xxx~~ oral arguments before the appeals bench. Then it became apparent that what really paid off is the great amount of work we did to build a record. The decision on fact alone cites five instances where the district court did not meet its obligation to resolve all questions and it ssys they probably are not by any means all. It really is a very polite clobbering of Pratt, too.

I don't know how much of what I've been doing since last night I've sent or enclosed. However, if euphoria shows it is entirely justified. This is now that good. Jim and I both believe that Green may have been waiting for the reinforcement of this decision while drafting a definitive statement of her own. We'll see.

Jim and I have this evening agree on how to take the initiative again, before the statu call, to discover what we can to reduce the essential depositions to the minimum. However, the depositions will be costly. I don t know how much. My list of potential witnesses right now is 12. If each takes a half day we are talking about sic full days of court reporter charges. This will not be immediately. Meanwhile, we both feel, with Jim's opinion that of a lawyer, that the appeals court will not certify this case for appeal to the Supremes. HW 7/13/76